

REMARKS

This Amendment is responsive to the Final Office Action dated October 19, 2010. Applicant has amended claims 35, 41, 44-48, 50, 56 and 58-60, and cancelled claims 40, 42, 43, 55 and 57. Upon entry of this Amendment, claims 35-39, 41, 44-54, 56, and 58-63 are pending.

Applicant respectfully requests entry of the claims amendments submitted in this Amendment after issuance of the final Office Action. The claim amendments amend the independent claims to include subject matter that the Examiner has indicated is allowable, and amend the dependencies of other claims in view of the cancellation of the dependent claims that recited the allowable subject matter. Therefore, the amendments place the application in condition for immediate allowance.

Objected to Claims

In the Final Office Action, the Examiner indicated that claims 53 and 57 would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. However, in the Summary section of the Office Action, the Examiner indicated that claims 43 and 57 were objected to. As the Office Action also included a rejection of claim 53, Applicant presumes that the Examiner intended to indicated that claims 43 and 57 would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims

Applicant has amended independent claim 35 to include the subject matter of claim 43, as well as intervening claim 40. Applicant has amended independent claim 50 to include the subject matter recited in claim 57, as well as intervening claim 55. In sum, both of the independent claims presently pending in the application have been amended to include subject matter that the Examiner has indicated to be allowable. Accordingly, Applicant submits that this application is in condition for immediate allowance.

Claim Rejection Under 35 U.S.C. § 103

In the Final Office Action, the Examiner rejected claims 35-37, 40, 41, 44, 50-52, 55, and 58 under 35 U.S.C. 103(a) as being unpatentable over Rockwell et al. (U.S. Patent No. 6,141,584) in view of Unger (U.S. Patent No. 3,724,455). The Examiner also rejected claims 38, 45, 53, and 59 under 35 U.S.C. 103(a) as being unpatentable over Rockwell in view of Unger,

and further in view of Snell (U.S. Patent No. 6,978,181). The Examiner also rejected claims 39 and 54 under U.S.C. 103(a) as being unpatentable over Rockwell in view of Unger, and further in view of Covey et al. (2004/0162586). The Examiner rejected claims 42 and 56 under U.S.C. 103(a) as being unpatentable over Rockwell in view of Unger, and further in view of Reyes (U.S. Patent No. 5,105,821). The Examiner also rejected claims 46-49 and 60-63 under U.S.C. 103(a) as being unpatentable over Rockwell in view of Unger, and further in view of Khair et al. (U.S. Patent No. 6,441,747).

In order to expedite allowance, Applicant has amended independent claims 35 and 50 to include the subject matter of objected to claims 43 and 57, rendering these rejections moot. Applicant, however, neither admits nor acquiesces to the propriety of any aspect of these rejections, including the interpretation of, or application of art to, the claims as presented in the Office Action.

CONCLUSION

All claims in this application are in condition for allowance. Applicant respectfully requests prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 50-1778. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Date: December 20, 2010
SHUMAKER & SIEFFERT, P.A.
1625 Radio Drive, Suite 300
Woodbury, Minnesota 55125
Telephone: 651.286.8386
Facsimile: 651.735.1102

By: _____/Jason D. Kelly/
Name: Jason D. Kelly, Reg. No.: 54,213